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# C A N A D A.

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(*From the 'Monthly Repository' of September, 1835.*)

SIR,—The August number of your magazine contains an article headed 'CANADA,' which is calculated to generate great misconception concerning the political and social state of that colony. This feature I desire to obviate; and I conceive the shortest way of so doing is to give, in the fewest words possible, a correct picture of the disputes which at present agitate both the Canadas, occasionally noticing the most striking errors of fact to be found in the article to which I have alluded.

In the first place I would remark, that the range of the article is so wide, and the topics are strung together with such little regard to order, that I am not quite sure I shall always give a correct interpretation to the author's remarks. If so, I can only assure him, in advance, that I have no intention to cavil; I am simply desirous of making the actual condition of Canada known to the public.

As the article in question applies chiefly to the lower province, I shall direct my attention chiefly thereto. Indeed, it demands a preference on many cogent grounds. Its population is double that of the sister province, and nearly equal to all the other North American colonies combined.\* It takes the lead of all the other North American colonies in the march of Reform. Its case has been more frequently brought before Parliament; and it has, in consequence of these circumstances, engaged a larger share of public attention in this country.

The struggle in which the people of Canada are engaged is similar in its principle to that which is agitating every country in Europe. It is a struggle of the people against the undue power

\* It may be interesting to your readers to see the latest statement of the population of the British American Colonies. The following is a Table of the same, giving the latest authority, with a correction up to the end of 1833:

Colonies.	Population according to the last Census, with Date prefixed.		Population, 1833.	
Lower Canada . . . . .	July . . . . .	1831	511,917	626,429
Upper Canada . . . . .	April . . . . .	1832	296,544	322,005
Nova Scotia . . . . .	,, . . . . .	1827	123,848	154,400
New Brunswick . . . . .	. . . . .	1824	74,176	101,830
Cape Breton . . . . .	Bouchette . . . . .	1831	30,000	31,800
Prince Edward's Island.	July . . . . .	1833	32,292	32,676
Newfoundland . . . . .	. . . . .	1825	63,644	77,541
Total Population of British North America at the end of 1833			1,346,681	



of those who have managed to get hold of the governing power—a struggle of the many against the few. The Canadian *many* form an immense majority of the people; the *few* are consequently extremely limited in their numbers, and could not maintain their power, were it not for the support of the mother country, the aristocratic Government of which has always ranged itself on the side of the several oligarchies which the old colonial system of Great Britain established in most of our colonies. In Lower Canada this oligarchy consists chiefly of the office-holding class and their families; supported, on all occasions, by the most fortunate of the mercantile class, who are drawn towards the official circle by the influence of fashion.

Between the persons who compose these two exclusive classes on the one hand, and the great mass of the community on the other, there are no interests in common. The former sympathise not with the people at large. There is scarcely the slightest communication between them. They are not the lords of the soil; indeed, the relation of landlord and tenant, as we understand it, is almost wholly unknown: so is that of employer and employed. Thus the very basis of the 'old country' aristocracies, for which great veneration exists, has no existence in Canada.

But one of the objects of the Canadian Constitutional Act of 31 Geo. III. c. 31, was to create an aristocracy. Finding no natural materials, an attempt was made to manufacture an aristocracy out of the salaried officials; and the clumsy, disjointed, and ill-working machine, 'The Canadian Constitution,' is the result.

I shall not trouble you with 'a catalogue of the grievances of the French Canadians since the fall of Quebec,' (p. 535, No. civ.) against which your author warns the public. I will merely state that it is quite justifiable to quote even *redressed* grievances as evidence of what the system has produced, and may produce again. The Canadians do not, however, put forward expired or redressed grievances 'as a statement of those at present complained of:' all the grievances put forward in their authorized statements are in actual operation at the present moment. I will here add, that, although the list of grievances complained of as now pressing upon the people is sufficiently large, the Canadians do not ask their redress. They know that the redress of each grievance would be impossible: they merely state them as evidence of a vicious colonial system, of which they demand a radical change. This done, and they anticipate—*first*, that similar evils could not recur; and, *secondly*, that many of the said grievances would admit of redress within the colony.

Most of the evils which the people of Canada suffer, they attribute to the vicious constitution of the legislative council—the second branch of the colonial legislature. This council is composed of the official party and their adherents, who are appointed *for life* by the Crown; and, not being removable by any authority



for any misconduct, they are a perfectly irresponsible body. They comprise the members of the executive council, and the clerks of the same, some of the judges, some of the beneficed clergy, the heads of departments, and some successful merchants. These form a large majority. To give an appearance of impartiality, about half-a-dozen popular men have been appointed; but their voice is drowned amidst the united voices of their twenty-eight or thirty opponents.

The House of Assembly, on the other hand, represents the people. It is chosen by the freeholders of a country where nearly every man is a freeholder.

The consequence of the democratic constitution of one branch, and the aristocratic constitution of the other, is, that the two Houses do not 'harmonize together.' Bills which are introduced into the Assembly, in conformity with the wishes and feelings of the people, are invariably thrown out by the Council; so that the business of legislation is at a stand. Now, I ask the editor of the 'Monthly Repository' which side he would take, were he in Canada? I will not await his answer. I know he would take the popular side. I know he would join the mass of the people in their prayer to the British House of Commons 'to be permitted to elect the second branch in future, as the only means of obtaining that harmony between the two branches, without which internal peace and good government cannot exist.'—(*Lower Canadian Petition.*) Yet the tone of the article to which I am replying would lead to the conclusion that both writer and editor would fain support the oligarchical side.

I cannot feel myself justified in occupying so much of your space as would enable me to lay thoroughly bare the mischievous working of the system of virtual irresponsibility which pervades every branch of the local government of both the Canadas. I would remark, however, that the accumulation of offices in the same families, and, in many instances, in the same individual, would astound you. In Upper Canada four families, all connected together by several intermarriages, usurp seventeen offices. In Lower Canada one family enjoys seven lucrative offices. Where the members of the Council have not found offices lucrative enough for their desires, they have obtained enormous grants of land. A man named Felton is down in a parliamentary return as having received 14,000 acres. Not content with this, he has procured 1,200 acres for each of his eight children. Now, the people of Canada think that the radical change in the Council, which they propose, would check this, and nearly all other evils.

I now crave leave to say a few words on the state and strength of parties. The author of the article seems to be aware that the majority of the people of Lower Canada are of French origin, and he falls into the error which the Canadian oligarchy desires to foster, that the grievances are those of the 'French Canadians'



only.—(p. 535, No. civ.) The grievances, as I shall show, are those of the governed many, without distinction as to origin or language.

In November last there was a general election, the rallying principle of which was the spirit of the ninety-two resolutions—the elective principle. If it can be shown that French Canadians only gave their votes in accordance with this principle, I will give up the point. It cannot, however, be so shown. The majority in favour of the elective principle was very large, whether the number of Members or the population represented be considered. In the former Parliament, the number of Members opposed to the elective principle was twenty-eight; in the new Parliament this number was reduced to ten, out of eighty-eight Members, of which the Assembly is composed. The change in the population represented will be seen by the following Table:

	14th Parliament.	15th Parliament.
Population represented by Members in favour of the Elective principle . . . . .	373,382	479,485
Population represented by persons against the Elective principle . . . . .	138,535	32,432
	<hr/> 511,917	<hr/> 511,917

The account put forward by the Colonial Tories of the present proportion which ‘persons of French origin’ bear to ‘persons of other origin’ is three to one, that is, 450,000 to 150,000. Assuming this, for the present purpose, to be correct, it follows that a majority of persons of British origin are against the colonial oligarchy. The larger the number they claim as ‘British,’ the more completely does it make against them in their attempt to show that it is ‘the grievances of the French Canadians’—to use your author’s words—of which we hear. Many of your readers are, doubtless, aware that the ‘French Canadians’ inhabit the seignories—the British, what are called the townships. Now, to bear out your author’s view of the case, it would be necessary to show that the said township inhabitants have not joined their French brethren in their complaints and demands. What is the fact? In some of the largest counties inhabited by persons speaking the English language, Members in favour of an elective council were returned by majorities of two to one; and in the county of Sherbrook, which was considered the strong-hold of colonial Toryism, the ‘Constitutional’ Members prevailed by a very small majority only. Now it is this reforming spirit of the British inhabitants of Lower Canada which has reduced the minority to the miserable plight which I have exhibited. It is composed, not as the oligarchy desire to be believed—not as the author of the article in your last number has assumed—of the British population, but of the official party and their few adherents.

Now for your author’s remedy. In answer to a question, ‘How



is Lower Canada to be kept quiet?' he says, 'We should be answered by their neighbours of the surrounding British provinces, (as we have frequently heard those provincials express themselves,) "Bring the militia down the Ottawa, let the New Brunswickers pass their border, and we'll soon make a settlement of the stiff-necked Frenchmen." ' I propose to show that the Minister who should rely on the co-operation of the several colonial militia corps against the people of Canada, would certainly make a 'settlement of the stiff-necked Frenchmen,' but it would not be in the manner anticipated by your author; and for the very simple reason—that the mass of the people in nearly (if not quite) all the colonies sympathise with their brethren in Lower Canada, and are actually making similar demands of the Imperial Government. Upper Canada has passed a strong resolution against the constitution of the Council, and in favour of co-operation with the lower province. In Nova Scotia the expediency of rendering the Councils elective was discussed in 1834, when one of the law officers of the Crown even, admitted that such a measure was necessary to give independence to the body in question. In New Brunswick, Newfoundland, and Prince Edward's Island, the people are also at war with the local authorities. In the Assembly of the first-named colony supplies have been refused as in Lower Canada, and in all the colonies public meetings have been held in favour of the elective principle. At these meetings the warmest sympathy for the people of Lower Canada has been expressed. Is it then likely that the militia of the 'surrounding British provinces' are to be relied on, if the British Minister should desire 'to settle the stiff-necked Frenchmen?'

There is another argument against coercion, or, as your author quaintly calls it, 'settling the stiff-necked Frenchmen,' which is worthy of consideration. The people of Canada—I may add the people of all countries, as distinguished from their aristocracies—are sure of the sympathy of the people of the United States. I do not mean to say that the Government at Washington would interfere, but I do say that there would be no want of aid from the Kentucky riflemen. In one of the very last New York newspapers which have reached this country, there is an account of a public dinner on the 4th of July, at which several toasts were drunk, expressive of sympathy with the Canadians. I quote the words: 'Our Canadian neighbours—may their struggle for reform be distinguished by the fearless and uncompromising spirit which consecrated the 4th of July in the calendar of freedom.' Again: 'The Hon. L. J. Papineau, D. B. Viger, and the Canadian Parliaments—oppressed by men who feel power and forget right; may their patriotism be crowned with success, and may tyrants learn wisdom from past folly.'

If I correctly appreciate and exhibit the state of public opinion in the colonies, the project of an union of the legislatures of the



two Canadas is thereby proved to be futile. Taking the votes of the Upper Canadian Parliament, about two-thirds of the population are in favour of the elective principle, and, of course, at least that number against an union. These, added to the population of the lower province, make the adherents of the local oligarchies in the two Canadas to number 130,778, and the advocates for a reform in the Council to number 688,087. I can scarcely think the militia, even if brought down the Ottawa, would be much inclined to act against the 'stiff-necked Frenchmen.' In the united House of Assembly the numbers would be 112 reformers to 34 anti-reformers. Now, with this large majority against a legislative union of the two provinces, I again address myself to the editor of the 'Repository,' and ask him whether he would dispose of the question against the wishes and feelings of that majority? I can anticipate his answer. He would not legislate against the majority.

The emigration question is another question which bad men have misrepresented in this country. A fund for hospitals was raised in Canada by a five-shilling tax on passengers. The plan originated with Englishmen, and was carried through the Assembly in conformity with the earnest recommendation of Lord Goderich. It came into operation, and was attended with the most beneficial effects. Never were funds better administered. Part was expended on hospitals—part in forwarding destitute immigrants to their place of destination; the whole on the immigrants themselves. Suddenly the Tory party discovered that the tax was only an expedient of the Assembly to check immigration. A more false insinuation never before came from the lips of man. The Canadians are not opposed to immigration. They receive with brotherly love those immigrants who settle among them. To the abuses of immigration they are opposed. For instance, they do not like to see 500 people cooped up in a dirty ship of 300 tons. They ask for a law to check this, when they are immediately met by a howl from the traders in human flesh, official and non-official, and are accused of animosity to immigrants.

The Lower Canadians object to the British American Land Company, not because it will promote immigration, for they think its tendency will be to check immigration. They object to it on grounds which should, I think, secure some approval. They object to it because the Constitutional Act, by conferring upon the Canadians local legislatures, assigned to the said legislatures the management of their internal affairs, including the public lands. The Declaratory Act of 18 Geo. III. c. 12, besides securing the people of the colonies from taxation by the Imperial Parliament, guaranteed to them the disposal of all moneys levied within the several colonies. The proceeds of land sales have always been considered as a ready means of avoiding direct taxation. In the



United States not only a considerable portion of the expenses of the States Governments is supplied from this source, but a considerable fund is raised for the purpose of education. The sale of land to the Companies for much less than the market price, and the appropriation of the proceeds without the consent of the local legislatures, have deprived the people of the two Canadas of this mode of superseding direct taxation. Both the Canadian legislatures have resolved that the establishment of these Companies is a violation of the Declaratory Act of 18 Geo. III. c. 12, and their opinion is borne out by that of many sound constitutional lawyers. Many persons are favourable to these Companies, because they coincide in opinion with the author of 'England and America.' To them I would remark that the Companies in question violate the principles laid down by that author, and about to be put in practice in South Australia. For instance, the Canadian Companies sell lands on long credit, and, by that means, enslave all those who become their purchasers. They will, if unchecked, fill the Canadas with rotten boroughs and rotten counties. But I am filling too much space. I will, therefore, say but little more.

At page 536 your author speaks of the refusal of indemnity for war losses as the 'principal grievance of the French Canadians:' this is a mistake; it is the Upper Canadians who suffered such losses. But the refusal of indemnity is not their principal grievance. The principal grievance of both provinces is the vicious constitution of the Councils; then come the Land Companies, and a host of other grievances follow, much more irksome than that which your author has named.

There are other errors which need scarcely be noticed, after the general exposition I have given of the case of Canada; such, for instance, as those which are involved in the expressions, 'the paltry opposition of the Quebec and Montreal orators,' (p. 542;) 'the reluctance of the French *minority*,' (p. 536;) 'denying bread and home to the British labourer,' (p. 542;) 'the mass of the French population, exclusive of their agitators, the supporters of Papineau, are well affected,' (p. 537;) and other passages tending to convey an idea that all we hear of Canadian discontents has no reference to the general opinions of the people—an error which, if acted upon by our Government, would certainly be productive of most disastrous consequences.

H. S. CHAPMAN.

P. S. Since the above was in type Canadian newspapers have been received as late as the 4th of August. They exhibit a progressive increase of discontent.

Reform Associations are organizing all over Lower Canada, in communication with a parent Association in Montreal. Similar Associations have, for some time, existed in Upper Canada, and the two central Associations of Toronto and Montreal are in close



and amicable communication. Thus the plan of 'bringing the militia down the Ottawa' would not be attended with the results anticipated by your author.

A great Reform Meeting had been held in a county where the 'Constitutional' interest was supposed to predominate, namely, *Missisquoi*. This appears to have disheartened the colonial Tories. The Liberal papers say, that *Missisquoi* is lost to the Tories for ever. It may be safely affirmed that the 'Constitutionalists' are reduced to a most miserable minority.

The language of the 'Constitutional' papers is extremely abusive towards the present Administration. Towards Lord John Russell and Lord Glenelg their tone is contemptuous in the extreme; and yet it is for this very party that these two noble lords are sacrificing their characters as statesmen. My Lords Glenelg and John Russell, I pray you look to this.

H. S. C.















